

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Zemel et al.

Art Unit: 1616

Application No: 10/017,568

Examiner: Abigail L. Fisher

Confirmation No: 9941

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Atty. Docket No: 31894-192402

For: MATERIALS AND METHODS FOR THE
TREATMENT OR PREVENTION OF
OBESITY

Customer No:

26694

PATENT TRADEMARK OFFICE

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the documents be made of record therein and appear on any patent to issue therefrom. Copies of documents **B1 – B6** are enclosed.

This Information Disclosure Statement is filed after the date of a final action under 37 CFR 1.113 (37 CFR 1.97(d)).

Documents **B1 – B6** were cited in an Office Action in related Japanese Pat. Appl. No. 2003-552240. These documents are not in the English language. English language abstracts are provided for Documents **B1 – B5**. For Document **B6**, Applicants have provided a cross-reference to what is believed to be an English-language counterpart, U.S. Pat. No. 6,136,349 (listed as Document **A1**).

Pursuant to 37 CFR 1.97(e)(1), Applicants state that each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

In accordance with 37 CFR 1.98(a)(2)(ii), Applicant has not submitted copies of U.S. patents and U.S. patent applications. Applicant submits herewith copies of foreign patents and non-patent literature in accordance with 37 CFR 1.98(a)(2).

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

A fee in the amount of \$180 is enclosed (37 CFR 1.17(p)). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 22-0261, under Order No. 31894-192402.

Dated: November 4, 2009

Respectfully submitted,

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